

REMARKS

Claims 1-24, and 26-29 are pending in the present Application. Claim 22 has been canceled, claims 1, 2, 12, 15, 16, 19-21, 23, and 26 have been amended, and claim 32 has been added, leaving claims 1-21, 23, 24, 26-29, and 32 for consideration upon entry of the present amendment. No new matter has been introduced. Reconsideration and allowance of the claims are respectfully requested at least in view of the above amendments and the following remarks.

Regarding the drawings issues, the undersigned held an interview with supervisory Examiner Tuan Ho on May 12, 2005 after first contacting Examiner Aggarwal prior to April 13, 2005 several times to clarify the drawing objection because the MPEP section cited in the Office Action was not correct and was required by Examiner Ho. Now, it has been clarified that the Examiner is requesting a legend for the block portions of the noted figures. Examiner Ho agreed that the replacement figures may be submitted after this response is filed and will not result in the case going abandoned. He agreed to issue an Interview Summary.

I. 35 U.S.C. §102(e) Rejections based on the Suzuki '605 Patent

Claims 1-21 stand rejected based on alleged anticipation by U.S. Patent No. 6,111,605 to Suzuki ('605 Patent). Applicant respectfully traverses these rejections.

As disclosed in the Specification (p. 13, lines 10-14), the *printer characteristic* information used in Applicant's claimed invention is "... the information relating to the *density characteristic* of the printer or the *sharpness characteristic*, or in the case of the printer using an ink ribbon, includes the information relating to a size of a ribbon or color, but, is not limited to that." (emphasis added)

Further, it is explained that processing "the image signal according to the *printer characteristic* information prior to the print," affords among other advantages that, "the finished image condition of the composite image can be confirmed in advance, which is convenient." (Specification p. 13, lines 1, 2, 7-9). In other words, the finished print as it will appear after printing on a specific printer due to the printer characteristics can be displayed *prior to printing*. See page 35, lines 11-13. Applicant's claims 1, 2, 12, 16, and 20 have been amended to more specifically claim these limitations.

In contrast, the '605 Patent, however, does not teach image processing performed on an image to allow for this advance viewing or confirmation of the image. Specifically, the '605 Patent does not teach image processing with printer characteristic information as claimed, i.e., no density characteristics or sharpness characteristics, but simply gives the user tabular information about "form size, an orientation of the form, a resolution, a magnification, and offset value (a position for starting printing on recording paper) or the like." (col. 12, lines 18-25, figures 4A, 4B of '605 Patent) This type of "picture information" is not related to the convenient image confirmation or characteristic information claimed by Applicant, even to the extent to which these selections may be usefully reflected on a display means.

For instance, it is unlikely that many digital camera display screens envisioned by the '605 Patent could usefully depict form size for the range of sizes that may be desired for printing. Similarly, while the magnification of an image to be printed may be simulated on a display, this has no bearing on whether the image would reflect, for example, the density and sharpness characteristics of the printer to be used.

For at least these reasons, Applicant respectfully submits that independent claims 1, 2, 12, 16, and 20 are in a condition for allowance. The remaining rejected dependent claims (3-11, 13-15, 17-19, and 21) are therefore also allowable.

## II. Additional Anticipation Rejections of Dependent Claims under the '605 Patent

In addition to the reasons presented above, Applicant's dependent claims 15, 19, and 21, as amended, are very different from than the '605 Patent. As disclosed by Applicant (Specification p. 19, lines 5-12, emphasis added; see also Fig. 11 for an example of the image composition occurring for this template processing, with the final image available for display and printing), template processing:

"means that the image processing is conducted *on the photographed image* so that it is formed into the form of a New Year's card or calendar, the image composition is conducted as if the object is *settled in a photo-frame*, or as if the object is *photographed together with cartoon characters*, or the processing to *compose a beautiful landscape and the object image*, but, it is not limited to those."

The '605 Patent, on the other hand, only teaches generation of a "character code" associated with inputted voice data (col. 20, lines 8-27), and the ability to display that "character code" on the liquid crystal panel so that the voice data can be easily located (col. 20, lines 48-54). Figures 18

and 19 only show the ability to associate this code with an image, and display it on the Liquid Crystal Panel, and specifically do not teach integrating this with the image, enabling the composite image with code to be printed. For at least these reasons, the "template processing" of Applicant's amended claims 15, 19, and 21 is not taught by the '605 Patent, and these claims are in condition for allowance. Applicant respectfully requests reconsideration of the rejections of these claims.

III. 35 U.S.C. §102(c) Rejections based on the '933 Patent

Independent claims 22 and 23 stand rejected based on alleged anticipation by U.S Patent No. 6,774,933 to Suzuki ('933 Patent). Applicant respectfully traverses these rejections.

Claim 22 has been canceled. Applicant's claim 23 claims "...(d) a judgment means for judging whether or not a photographic operation by the image sensor during a recording operation by the recording means is conducted according to *information of electric power consumption* on the image recording means and the image sensor." (emphasis added)

The '933 Patent, however, does not teach allowing or inhibiting photographic operations based upon information of *electric power consumption, but simply inhibits it during printing regardless of power consumption information*. The "picture taking prohibition flag" (col. 5, line 41-col. 6 line 2) is an on/off prohibition set automatically upon commencement of printing (Fig. 3) and inhibits picture taking regardless of electric power consumption (Fig. 4) until printing is complete.

For at least this reason, Applicant respectfully submits that independent claim 23 is allowable.

Applicant's new claim 32, depending from allowable claim 23, claims the further limitation that "the information of electric power consumption according to which the judgment means judges includes *voltage*." (see also Specification p. 22, lines 17-22) Applicant respectfully submits that for at least these reasons, claim 32 is also allowable.

IV. 35 U.S.C. §102(b) Rejections based on Maeda (U.S. Patent No. 5,493,409)

Independent claim 24 stands rejected based on alleged anticipation by Maeda. Applicant respectfully traverses this rejection. Applicant's claim 24 claims:

"...(d) a controller for making the image recording means to suspend a recording operation when a photographing operation by the image sensor is instructed during the recording operation by the image recording means, for making the image sensor to photographing, and then for making the image recording means to restart the recording operation after the photographing operation of the image sensor is finished."

An example of this is illustrated by Applicant's Figure 18, wherein printing is paused between each color if photography is attempted. (Described in Specification p. 42, line 14- p. 43, line 7)

However, the controller taught by Maeda does regulate the supply of power to a camera section and a printer section, it simply does it on demand, and does not discriminate after the fashion of Applicant's claim 24. Table 1 (col. 9, lines 32-41) *expressly allows for the supply of power to both the printer section and camera section simultaneously* with Dcon signal 11. During printer operations in Maeda, as shown in Fig. 26B, printing operations occur with that Dcon-11, meaning that Maeda teaches a controller that supplies power to *both* camera and printer sections *during* printing operations, and not the sequential supply of power in Applicant's above cited claim 24.

For at least these reasons, Applicant submits that claim 24 is in condition for allowance. Applicant respectfully requests reconsideration of the rejection of this claim.

V. 35 U.S.C. §102(e) Rejections based on Tamura (Japanese Patent No. 9-37125)

Claims 26-29 stand rejected based on alleged anticipation by Tamura. Applicant respectfully traverses those rejections.

Among other issues, Applicant's independent claims 26 and 27 address the following problem in the prior art:

Further, it is a problem that, when the electronic still camera and printer use commonly a battery power source, what processing is conducted for *the voltage drop* of the battery. (Specification, p. 6, lines 1-4, emphasis added)

Beyond just a concern with total battery capacity, Applicant's invention allows:

*...both the print of the image with the higher image quality and the transferring of the clear image signal not including the noise can be obtained, because the interference due to simultaneously conducting the transferring and photographing is suppressed* when the electric power from a single power source with the limited power capacity is used. (Specification, p. 24, lines 18-23, emphasis added)

Tamura, on the other hand, teaches only preferentially prohibiting the transfer operation vice the photographing operation based on power concerns. (para. 8) Applicant's claims 26 and 27 include the opposite, "...prohibiting a photographing operation during a transfer operation," (claim 26, emphasis added) and "...judging *whether or not* a photographic operation by the image sensor during a transferring operation of the transfer means is conducted..." (claim 27, emphasis added).

Additionally, Tamura is limited to making an absolute prohibition "when the *remaining* amount of battery of the power supply device has been reduced." (para. 8; see also para. 9, 15) It does not teach the flexibility necessary for momentary power drops allowed for by Applicant's amended claim 26 (where the photographing operation is again allowed "upon completion of the transfer operation," and claim 27.

Tamura also fails to teach a judgment means "...according to information of power consumption on the transfer means and the image sensor," of claim 27. For example, Tamura para. 17 and Fig. 2 (cited in Office Action, para. 7) do not look to information of electric power consumption, but rather to whether of not the camera power switch is On or Off, a user input. (see also, Tamura para. 7 describing this interlock between image transfer and the camera power switch)

For at least these reasons, Applicant submits that independent claims 26 and 27 are in condition for allowance.

Independent claim 28, as amended, claims:

...(e) a controller for lowering a luminance for an image display of the display means during a transferring operation of the transfer means, wherein the image display is still visible at some lower luminance.

Tamura, in para. 17, teaches that in order for image transfer to occur, the camera power switch must be turned off (see discussion above), the effect of which would be to also remove power from the image display. In addition to not being effected by a controller, but by a user, this action would result in an all or nothing change in luminance, and not the lower luminance of Applicant's claim. (see also, Specification p. 26, lines 8-13)

For at least these reasons, Applicant respectfully submits that independent claim 28 is in a condition for allowance. Claim 29 depends from claim 28 and is therefore allowable.

VI. New Claims

Claim 32 has been added to further claim the invention. Support for this claim is found at least at Specification p. 22, lines 17-22.

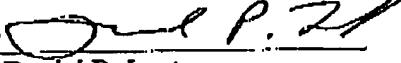
It is believed that the foregoing amendments and remarks fully respond to the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Please telephone the undersigned for any reason. Applicants respectfully endeavor to cooperate with the Examiner and to expedite prosecution.

Respectfully submitted,

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KOT-0027

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